

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	No. 3:08-CR-11
v.)	(VARLAN / SHIRLEY)
)	
MARIO MELGAR, and)	
JOSE ALBERTO AGUIRRE,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. This matter is before the Court on Defendants' Joint Motion for Continuance of Motions Hearing Date [Doc. 41], filed on May 6, 2008. Defendants requests a continuance of the motion hearing set for May 15, 2008 in order for their attorneys to have time to secure the appearance of witnesses at their hearing. The government does not oppose Defendants' motion to continue the hearing.

For good cause shown, the Court finds Defendants' Joint Motion for Continuance of Motions Hearing Date well taken. The Court further finds setting a new date to hear the pending motions will provide sufficient time for defense counsel to adequately prepare for Defendants' pretrial motions by securing the appropriate witnesses to testify in support of the motions, which include a joint suppression motion.

Accordingly, Defendants' Joint Motion for Continuance of Motions Hearing Date **[Doc. 41]** is **GRANTED**. The motion hearing originally scheduled for May 15, 2008 is **CANCELLED**. Defense counsel is directed to coordinate with the government once they secure the appearance of their witnesses for proposed dates and times for the motion hearing, and within five days of this Order, contact Chambers to schedule the hearing.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge